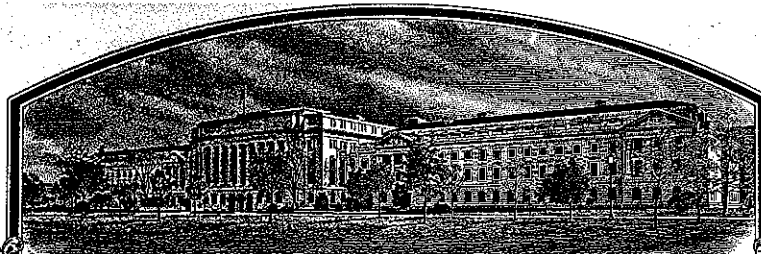


No.

200500057



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Crites-Moscow Growers, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

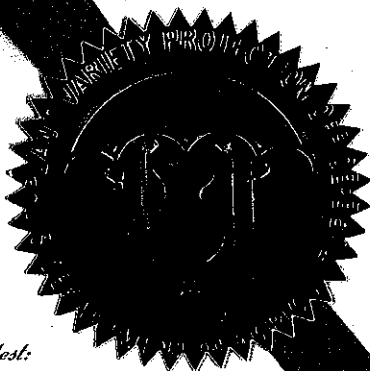
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'Kelly'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this fifteenth day of June, in the year two thousand and seven.

Attest:

Belmont

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

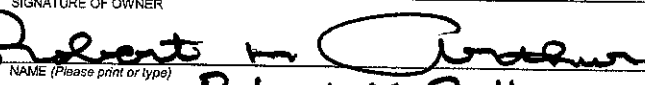
William H. Johnson
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER Crites Moscow Growers, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME CMG-381AF	3. VARIETY NAME Kelly
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 212 W. 8th St PO Box 8912 Moscow, Id 83843-1412		5. TELEPHONE (include area code) 208-882-5519	FOR OFFICIAL USE ONLY PVPO NUMBER 2005 000 57 FILING DATE January 10, 2005
		6. FAX (include area code) 208-882-6464	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation	8. IF INCORPORATED, GIVE STATE OF INCORPORATION Idaho	9. DATE OF INCORPORATION May 10, 1933	F E E S R E C E I V E D FILING AND EXAMINATION FEES: \$ 3652.00 DATE 1-07-2005 CERTIFICATION FEE: \$ 768.00 DATE 6/05/07
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Robert Arthur Crites Moscow Growers, Inc PO Box 8912 Moscow, Id 83843-1412			
11. TELEPHONE (include area code) 208-882-5519	12. FAX (include area code) 208-882-6464	13. E-MAIL bob@critesmoscow.com	
14. CROP KIND (Common Name) Garden Pea	16. FAMILY NAME (Botanical) Leguminosae	18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Pisum Sativum	17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23)	
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties		24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
SIGNATURE OF OWNER  NAME (Please print or type) Robert M Arthur		SIGNATURE OF OWNER	
CAPACITY OR TITLE Research Director		CAPACITY OR TITLE	
DATE 1/6/05		DATE	

(See reverse for instructions and information collection burden statement)

EXHIBIT A REVISED

Kelly originated from a hand pollinated cross of Snake, the female parent, crossed to Genie the male parent.

1996	Greenhouse cross	
1997	Spring greenhouse	F1 Bulk
1997	Field	F2 SPS
1998	"	F3 SPS
1999	"	F4 SPS
1999	Greenhouse Fall	F5 Bulk
2000	Greenhouse Spring	F6 "
2000	Field	F7 "
2000	Greenhouse Fall	F8 "
2001	Field	F9 "
2001	Winter Increase	New Zealand
2002	Production Increase	
2003	Production Increase and Trial	
2004	Production Increase and Trial	

Kelly has been produced and judged stable for the past 4 generations. Kelly is uniform for all traits as described in Exhibit C. Variants are not present other than what would normally be expected due to environment.

The purpose of the cross that resulted in Kelly was to develop a variety with the attributes of the parents. We wanted the wilt resistances of Snake with the powdery mildew resistance and the plant type of Genie. The selection criteria is as follows:

- F1 Bulk with no selection.
- F2 Selected a single plant from soil with Wilt 5 present and free of Powdery Mildew.
- F3 Selection on soil with Wilt 5 present
- F4 Selected a single plant from soil with Wilt 5 present and free of Powdery Mildew.
- F5 Seed increase with no selection.

EXHIBIT B REVISED

200500057

Kelly is most similar to the variety Genie. Kelly differs from Genie in disease resistance.

	Powdery Mildew	Fusarium Oxysporum		
		W1	W2	W5
KELLY	R	S	R	R
GENIE	R	S	S	S

R= resistance

S= susceptible

Kelly has shown to be later than Genie in green pea trials. The 2003 irrigated green pea trials in Hermiston, Oregon. Kelly reached 101 tenderometer at 1613 heat units compared to Genie at 88 TR in 1465 H.U. The results were similar in 2004. Kelly was harvested on July 6 at a TR of 123 and Genie was at 140 TR the same day.

Like results occurred in Moscow, Idaho in 2003 and 2004. Kelly was harvested at 95 TR accumulating 1493 H.U. in 2003. Genie's TR was 92 at 1450 H.U. The 2004 results were Kelly TR 97 and 1506 H.U. compared to Genie 88 TR and 1421 H.U.

EXHIBIT B REVISED

200500057

Kelly was selected on soil with *Fusarium oxysporum* f. sp. *Pisi* race 5 present. Washington State University, Northwest Washington Research unit, Mount Vernon, Washington so determined. Kelly was selected in the F2 and progeny tested in the F3 and F4.

	1997	1999	2002
Kelly	1	1	1
Bolero	4		5
Bonito	1		1
Snake		1	
Genie		4	5

The numbers are based on ratings of 1-5 with 1 being healthy and 5 dead. The tests in 1997 and 1999 were from a nursery in Mount Vernon Washington. The 2002 test was pure culture with inoculum prepared by Washington State University. Inoculation was done at Crites Moscow Grower's greenhouse.

Conclusion: Kelly, Bonito, and Snake contain the dominant gene responsible for resistance to *F.oxysporum* race 5. Bolero and Genie do not contain the gene.

Resistance to *Erysiphe pisi*, powdery mildew, was shown in 1997 and 1999 on two occasions. The disease naturally occurs most years in a late May planted nursery in Mount Vernon. The disease is always present in greenhouse October plantings in Moscow Idaho. Kelly was free of the disease while it was present on known susceptible varieties like Bonito and Snake. Segregation for resistance occurs when Kelly is crossed to a susceptible conferring resistance.

4

EXHIBIT B REVISED

200500057

Resistance to *Fusarium oxysporum* f.sp. *Pisi*, race 2, was shown under two comparisons. Dr. John Kraft, USDA-ARS conducted the first evaluation at Prosser, Washington. The second comparison was at Moscow, Idaho with inoculum prepared by Washington State University.

July 2000 Pos\total

Kelly	1/17
Snake	0/17
Genie	9/16
DSP	20/20
Mini 93	0/17

December 2001

Kelly	0/11
Genie	3/10
CMG-307	10/10
Moose	0/11

Snake, Mini 93, and Moose are known to be resistant. DSP, and CMG-307 are known to be susceptible. Genie is susceptible or has partial resistance.

5

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY
Pea (*Pisum sativum* L.)

NAME OF APPLICANT (S) Crites Moscow Growers, Inc.	TEMPORARY OR EXPERIMENTAL DESIGNATION CMG-381AF	VARIETY NAME Kelly
ADDRESS (Street and No. or RD No., City, State, Zip Code and Country) 212 W. 8th St. PO Box 8912 Moscow, Id 83843-1412		FOR OFFICIAL USE ONLY PVPO NUMBER 200500057

PLEASE READ ALL INSTRUCTIONS CAREFULLY: Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g., 0 9 9 or 0 9) when the number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: _____ Please answer all questions for your variety; lack of response may delay progress of your application.

1. TYPE:

1 1 = Garden 2 = Field 3 = Edible-podded 4 = Other (Specify) _____

2. MATURITY:

15 Node Number of First Bloom: 0 6 9 No. of Days Processing 1 5 8 5 Heat Units

0 1 No. of Days Earlier Than 4 } 1 = Alaska 2 = Thomas Laxton WR 3 = Little Marvel
Days Same As } 4 = Wando 5 = Alderman WR 6 = Australian Winter
1 4 No. of Days Later Than 3 } 7 = Other (Specify) _____

3. PLANT HEIGHT:

0 5 8 cm High
4 8 cm Shorter Than Name of Check Cultivar Alaska Wr
Same As Same as Check Cultivar _____
2 0 cm Taller Than Name of Check Cultivar Little Marvel

4. VINE:

1 Habit: 1 = Determinate 2 = Indeterminate 3 = Stockiness 1 = Slim (Alaska)
2 = Medium (Thomas Laxton WR)
3 = Heavy (Alderman)

1 Branching: 1 = None (Alaska) 2 = 1-2 Branches (Little Marvel) 3 = More than 2 Branches (Dwarf Gray Sugar)

2 Internodes: 1 = Straight 2 = Zig Zag 2 1 Number of Nodes

5. LEAFLETS:

☐ Color: 1 = Light Green (Alaska WR) 2 = Medium Green (Thomas Laxton WR) 3 = Dark Green (Alderman)
 4 = Other (Specify) _____ 5 = Blue Green 6 = Yellow Green 0 = Not Applicable

☐ Wax 1 = None 2 = Light 3 = Medium ☐ 1 = Not Marbled 2 = Marbled (Alaska)
 4 = Heavy 0 = Not Applicable 0 = Not Applicable

☐ Number of Leaflet Pairs: 1 = Not Paired 2 = One 3 = Two 4 = Three or More 0 = Not Applicable

☐ Leaflet Type: 1 = Leafless 2 = Semi 3 = Normal

6. STIPULES:

☐ 1 = Lacking 2 = Present ☐ 1 = Not Clasping 2 = Clasping

☐ 1 = Not Marbled 2 = Marbled ☐ Size (Compared with Leaflets): 1 = Smaller 2 = Same 3 = Larger 0 = Not Applicable

☐ Color (Compared with Leaflets): 1 = Lighter 2 = Same 3 = Darker 0 = Not Applicable

☐ Color: 1 = Light Green 2 = Medium Green 3 = Dark Green 4 = Blue Green 5 = Yellow Green 0 = Not Applicable

Color Chart Value: 137-A

Select the Color Chart Used to Determine the Values:
☒ Royal Horticulture Society Colour Chart
☐ Munsell Color Chart
☐ Other _____

☐ Sipule Size: 1 = Small 2 = Medium 3 = Large

Please Provide Comparative Varieties (Check Varieties) and Stipule Color

	Variety (1)	Variety (2)	Variety (3)
Variety Name:	<u>Little Marvel</u>	<u>Wrinkled Alaska</u>	<u>Alderman</u>
Stipule Size:	<u>Medium</u>	<u>Small</u>	<u>Large</u>
Color Chart Value:	<u>137-A</u>	<u>137-C</u>	<u>137-C</u>

7. FLOWER COLOR:

☐ Venation ☐ Standard ☐ Wing ☐ Keel

1 = White
 2 = Greenish
 3 = Lavender
 4 = Purple
 5 = Red
 6 = Other (Specify) _____

8. PODS:

☐ Shape: 1 = Straight 2 = Slightly Curved 3 = Curved

☐ End: 1 = Pointed (Alderman) 2 = Blunt (Alaska)

☐ Color: 1 = Light Green (Alaska WR) 2 = Medium Green 3 = Dark Green (Alderman)
 4 = Other (Specify) _____ 5 = Blue 6 = Purple 7 = Yellow

☐ Surface: 1 = Smooth 2 = Rough ☐ Surface: 1 = Shiny 2 = Dull

☐ Bome: 1 = Single 2 = Double 3 = Single and Double 4 = Single, Double & Triple 5 = Double & Triple
 6 = Triple 7 = Other (Specify) _____ 8 = Quad, Single, Double, Triple 9 = Quad

☐ cm Length ☐ mm Width (Between Sutures) ☐ No. Seeds Per Pod

9. SEEDS: (95-100 Tenderometer)

☐ Color: 1 = Light Green 2 = Green 3 = Dark Green 4 = Other (Specify) _____
 5 = Yellow 6 = Brown 7 = Yellow Green

1 2 3 4 5 6 7 8 Average
 Seive: % ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

☐ Shape: 1 = Flattened 2 = Angular 3 = Oval 4 = Rounded

9. SEEDS: (Dry) (continued)

<input type="text" value="3"/>	Surface:	1 = Smooth	2 = Dimpled	<input type="text" value="2"/>	Surface	1 = Shiny	2 = Dull																				
		3 = Wrinkled																									
<input type="text" value="1"/>	Color Pattern:	1 = Monocolor	2 = Mottled	3 = Striped	4 = Dotted																						
<input type="text" value="4"/>	Primary Color	<table border="0"> <tr> <td>1 = Creamy White</td> <td>2 = Cream & Green</td> <td>3 = Light Green</td> <td>4 = Medium Green</td> </tr> <tr> <td>5 = Dark Green</td> <td>6 = Blue Green</td> <td>7 = Yellow</td> <td>8 = Brown</td> </tr> <tr> <td>9 = Red</td> <td>10 = Gray</td> <td>11 = Black</td> <td>12 = Salmon</td> </tr> <tr> <td>13 = Purple</td> <td>14 = Tan</td> <td>15 = White</td> <td>16 = Pink</td> </tr> <tr> <td>17 = Yellow Green</td> <td></td> <td></td> <td></td> </tr> </table>						1 = Creamy White	2 = Cream & Green	3 = Light Green	4 = Medium Green	5 = Dark Green	6 = Blue Green	7 = Yellow	8 = Brown	9 = Red	10 = Gray	11 = Black	12 = Salmon	13 = Purple	14 = Tan	15 = White	16 = Pink	17 = Yellow Green			
1 = Creamy White	2 = Cream & Green	3 = Light Green	4 = Medium Green																								
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13 = Purple	14 = Tan	15 = White	16 = Pink																								
17 = Yellow Green																											
<input type="text" value="2"/>	Secondary Color:																										
<input type="text" value="2"/>	Hilum Floor Color:	1 = White	2 = Tan	3 = Black																							
<input type="text" value="1"/>	Cotyledon Color	1 = Green	2 = Yellow	3 = Orange	4 = Cream																						
<input type="text" value="2"/>	Grams per 100 Seeds	<input type="text" value="0"/>																									

10. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Moderately Resistant, 4 = Moderately Susceptible, 5 = Tolerant)

<input type="text" value="1"/>	Fusarium Wilt - Race 1	<input type="text" value="2"/>	Fusarium Wilt (Near Wilt) - Race 2
<input type="text" value="0"/>	Ascochyta Blight	<input type="text" value="0"/>	Common Mosaic
<input type="text" value="0"/>	Bacterial Blight	<input type="text" value="1"/>	Pea Enation Mosaic Virus
<input type="text" value="0"/>	Downy Mildew	<input type="text" value="1"/>	Seedborne Mosaic Virus
<input type="text" value="2"/>	Powdery Mildew	<input type="text" value="0"/>	Yellow Bean Mosaic Virus
<input type="text"/>	Other (Specify) _____	<input type="text" value="0"/>	Leaf Roll Virus
<input type="text"/>	Other (Specify) _____	<input type="text" value="2"/>	Other (Specify) <u>Fusarium Wilt Race 5</u>

11. INSECT: (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Moderately Resistant, 4 = Moderately Susceptible, 5 = Tolerant)

<input type="text" value="1"/>	Aphids	<input type="text"/>	Other (Specify) _____
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12. Additional information on any item above, or general comments that may aid in identification:

EXHIBIT D

The photograph demonstrates the difference between Genie and CMG-381 AF. Genie is a taller plant with double pods. In contrast, Kelly is shorter and will double and triple. Kelly's tendrils is less aggressive than Genies . The advantage of this is that harvest is made easier.



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Crites Moscow Growers, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER CMG-381AF	3. VARIETY NAME Kelly
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 212 W.8th St. PO Box 8912 Moscow, Id 83843-1413 USA	5. TELEPHONE (Include area code) 208-882-5519	6. FAX (Include area code) 208-882-6464
7. PVPO NUMBER 200500057		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.